

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHT HOLDING I LLC (“PHT”) and JAMES
KENNEY, on behalf of themselves and all
others similarly situated,

Plaintiffs,

-v-

PHL VARIABLE LIFE INSURANCE
COMPANY,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/10/2023

No. 18-cv-3444 (MKV)

ORDER

MARY KAY VYSKOCIL, District Judge:


The sealing motions at docket entries 201, 216, 223, 230, and 238 are all DENIED without prejudice. Defendant is seeking vastly overbroad sealing and redactions by invoking the terms of the parties’ Stipulated Protective Order and Confidentiality Agreement [ECF No. 64] and baldly asserting that sealing and redactions are required to protect “highly confidential proprietary information, the disclosure of which would likely give PHL or Milliman’s competitors an unfair market advantage of them” [ECF Nos. 216, 230]. However, “[t]he mere fact that information is subject to a confidentiality agreement between litigants . . . is not a valid basis to overcome the presumption in favor of public access to judicial documents.” *In re Gen. Motors LLC Ignition Switch Litig.*, 2015 WL 4750774, at *4 (S.D.N.Y. Aug. 11, 2015). Furthermore, based on the Court’s review, it is clear that much of the information Defendant seeks to conceal is not “highly confidential,” and disclosure would not give Defendant’s competitors an unfair market advantage. Accordingly, IT IS HEREBY ORDERED that by **September 10, 2023** Defendant shall file on the public docket all of the documents that were previously filed under seal or in redacted form, except

insofar as Defendant can meet its burden to justify **limited** sealing and redactions. Defendant must offer a specific justification for every renewed sealing request.

The Clerk of Court respectfully is requested to terminate the motions pending at docket entries 201, 216, 223, 230, and 238.

SO ORDERED

Dated: August 10, 2023
New York, New York



MARY KAY VYSKOCIL
UNITED STATES DISTRICT JUDGE